

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

JEFFERSON GRIFFIN,

Plaintiff,

v.

NORTH CAROLINA STATE BOARD OF
ELECTIONS,

Defendant,

and

ALLISON RIGGS, NORTH CAROLINA
ALLIANCE FOR RETIRED AMERICANS,
VOTEVETS ACTION FUND, TANYA
WEBSTER-DURHAM, SARAH SMITH,
JUANITA ANDERSON,

Intervenor-Defendants.

Case No. 5:24-cv-00731-M-RJ (lead)

NORTH CAROLINA DEMOCRATIC PARTY,

Plaintiff,

v.

NORTH CAROLINA STATE BOARD OF
ELECTIONS et al.,

Defendants.

Case No. 5:24-cv-00699-M-KS

CARRIE CONLEY et al.,

Plaintiffs,

v.

ALAN HIRSCH et al.,

Defendants.

Case No. 5:25-cv-00193-M-RJ

**VOTEVETS ACTION FUND, NORTH CAROLINA
ALLIANCE FOR RETIRED AMERICANS, TANYA
WEBSTER-DURHAM, SARAH SMITH, AND JUANITA
ANDERSON'S MOTION FOR SUMMARY JUDGMENT**

(Fed. R. Civ. P. 56(a))

On April 12, 2025, this Court entered an order directing the Parties to submit briefs on the remaining federal issues, indicating a desire to “facilitate prompt resolution of this matter,” suggesting the Court wishes to fully and finally resolve this case. Accordingly, pursuant to Rule 56(a) of the Federal Rules of Civil Procedure, Intervenor-Defendants VoteVets Action Fund, North Carolina Alliance for Retired Americans, Tanya Webster-Durham, Sarah Smith, and Juanita Anderson (“VoteVets Intervenor”), by and through the undersigned counsel, move this Court for an order granting summary judgment in their favor. In so moving, VoteVets Intervenor submit that there is no genuine issue as to any material fact and that they are entitled to judgment as a matter of law.

In support hereof, VoteVets Intervenor have filed a memorandum of law contemporaneously with this motion. VoteVets Intervenor also rely on the declarations of Peter Mellman, ECF No. 13-6, and Major General Paul Eaton, ECF No. 58. Pursuant to Local Rule 56.1(b), VoteVets Intervenor seek an exemption from the requirement to submit a statement of material facts. The issues that remain in this case are purely legal, many of which have been briefed extensively in this court and the U.S. Court of Appeals for the Fourth Circuit. Throughout the course of these proceedings, no party has sought discovery, underscoring the lack of any factual dispute. Accordingly, a statement of material facts would be inappropriate and unduly burdensome in this case. *See* Local Civ. R. 56.1(b).

WHEREFORE, VoteVets Intervenor move this Court for an order granting summary judgment in their favor, and permanently enjoining the North Carolina State Board of Elections (“Board”) from engaging in any cure process, permanently enjoining the Board from discarding any votes cast by voters who have been challenged by Plaintiff Jefferson Griffin, and ordering the Board to certify the results of the election as they stood at the time of its final formal count on December 10, 2024.

Date: April 21, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

On this 21st day of April, 2025, I electronically filed the foregoing using the Court's CM/ECF system. Counsel for all parties to the case are registered CM/ECF users and will be served by that system.

/s/ Lalitha D. Madduri
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